

Amendments to the Drawings

Please add the new drawing sheet containing new Figure 2 in the Appendix.

Please replace the original drawing sheet containing the only original drawing with the new drawing sheet containing the same drawing, now labeled Figure 1.

Remarks

The Official Action objects to the drawing for not clearly showing the claimed invention. The original drawing has been labeled Figure 1 and new Figure 2 has been added. Figure 2 is a pictorial representation of Figure 1 that corresponds exactly to Figure 1. In Figure 1, the normal connections between courses and wales are marked "X" and the floating connections are marked "-" and Figure 2 shows these connections. Since Figure 2 corresponds exactly to Figure 1, one of skill in the art will not see this as new matter. The drawings, when read in conjunction with the specification, clearly show the claimed invention and reconsideration and withdrawal of the objection to the drawings is respectfully requested.

Claims 13 was rejected under §112, second paragraph, and has been amended as to form, bearing in mind the criticisms in the Official Action. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-12 were rejected as unpatentable over ZENS 4,172,456 and claim 13 was rejected further in view of BRADBERRY 5,412,957. Claim 1 has been amended and reconsideration and withdrawal of the rejection are respectfully requested.

The differences between the invention of claim 1 and each of the ZENS and BRADBERRY are shown in the two sets of comparative drawings below. As is apparent, the compression of the invention of claim 1 is different. In claim 1, the compression increases

from toe to top of the garment, thereby facilitating pulling-on of the garment. By contrast, the garment in ZENS has a maximum compression in the middle zone, and the garment in BRADBERRY has a maximum compression in the toe area.

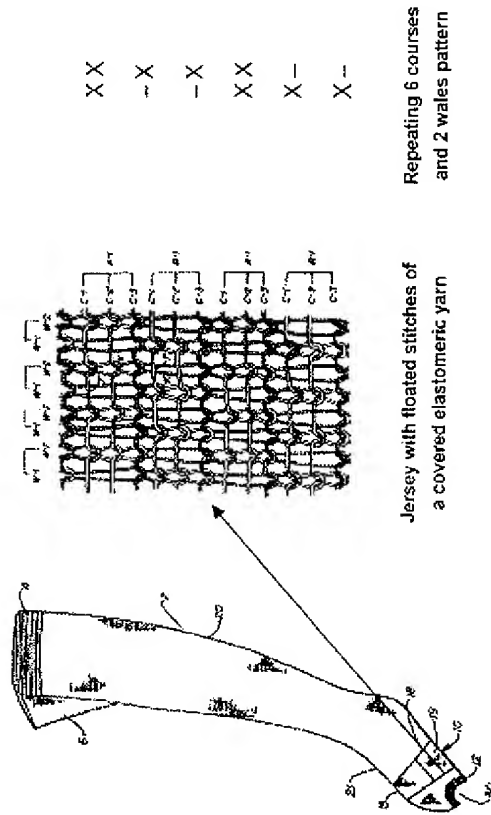
The invention of claim 1, where the higher pressure is in the top zone, would not be obvious because there is no suggestion in either reference to make the top zone the most compressive. Indeed, BRADBERRY teaches the opposite.

With regard to claim 13, the artisan would not use the pattern in BRADBERRY in the ZENS garment because there is no suggestion that this pattern would provide suitable compression for the upper zone of the garment.

Accordingly, the claims avoid the rejections under §103.

Bradberry's' patent

Stitch work structure and corresponding knitting pattern



Jersey with floated stitches of a covered elastomeric yarn

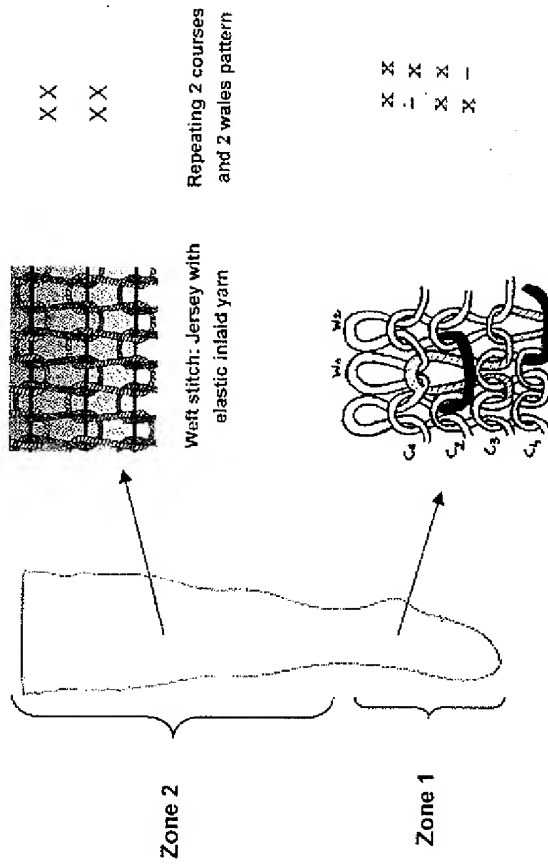
Repeating 6 courses and 2 wales pattern

The sole portion has an anti-slip feature (Claim 2)

Pressure gradient decreasing from patient's foot to thigh

Ganzoni's patent

Stitch work structure and corresponding knitting pattern



West stitch: Jersey with elastic inlaid yarn

Repeating 4 courses and 2 wales pattern (C1 to C4 and W1 to W2)

Jersey with floated stitches of synthetic textile material combined with spandex

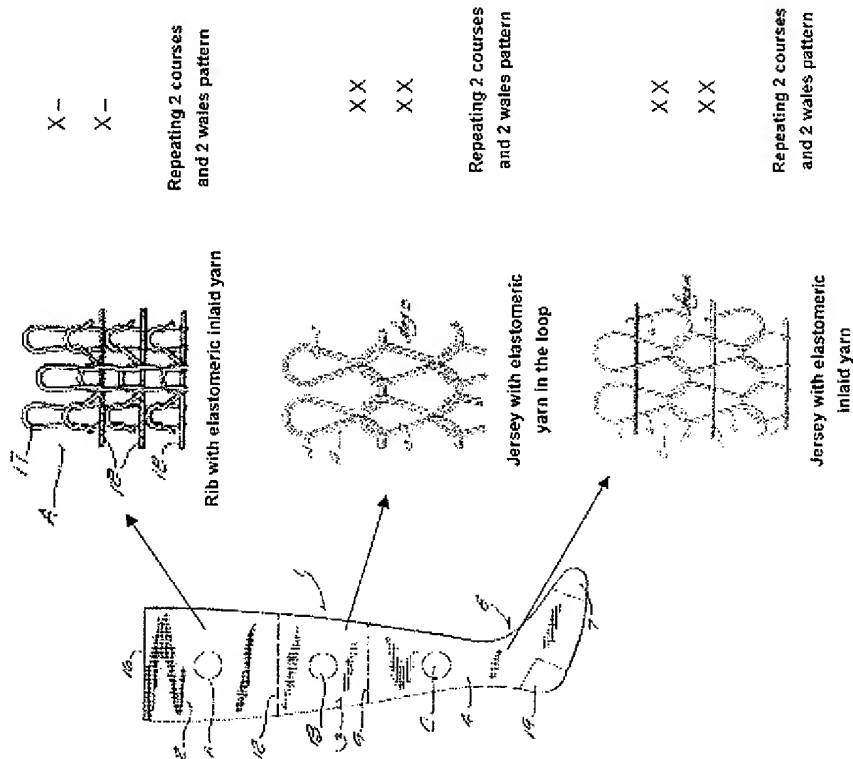
The exterior surface of the first structure (i.e. zone 1) is smooth (Claim 1); this allows an easier donning of another article over this article

Compression in zone 1 < Compression in zone 2

US Office action / Patent: Retention or compression garment or undergarment

Zens' patent

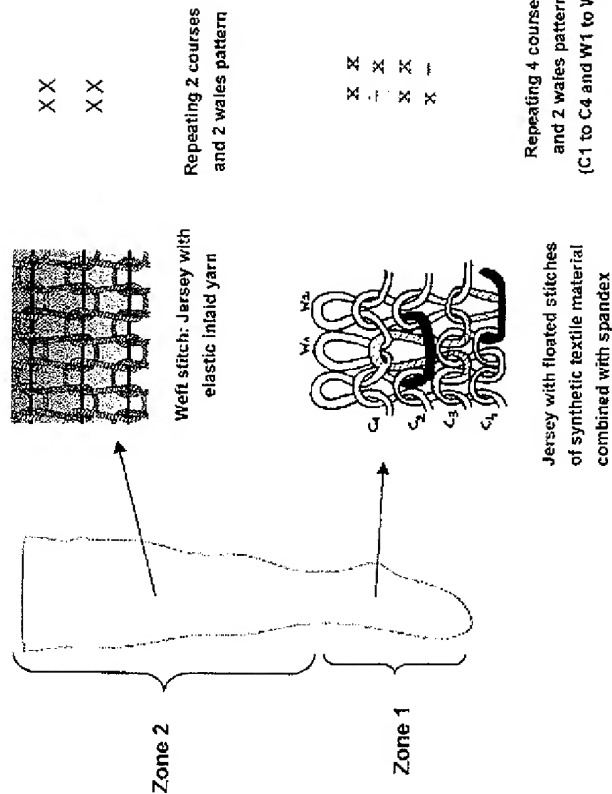
Stitch work structure and corresponding knitting pattern



Compression at the ankle area > Compression at the knee area

Ganzoni's patent

Stitch work structure and corresponding knitting pattern



The exterior surface of the first structure (i.e. zone 1) is smooth (Claim 1): this allows an easier donning of another article over this article

Compression in zone 1 < Compression in zone 2

New claims 14-16 have been added and consideration and allowance of the new claims are respectfully requested. New claim 14 generally corresponds to a combination of claims 1 and 7-8. This claim is allowable for the reasons given above and because the applied references do not disclose the specific compression values. One of skill in the art would not see that a combination of the two different compression values for the two zones as claimed would be obvious. New claim 15 provides that the garment of claim 14 is an undergarment. The floating and weft structure claimed affords a smooth surface suitable for facilitating the pulling on of an overgarment. New claim 16 corresponds to claim 13 and is allowable for the reasons given above.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment

to Deposit Account No. 25-0120 for any additional fees required
under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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TWP/fb

Appendix

- one new drawing sheet and one replacement drawing
sheet.